



## FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064-0145; -0161;-0171]

### Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Notice and request for comment.

**SUMMARY:** The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below (OMB Control No. 3064-0145; -0161 and - 0171).

**DATES:** Comments must be submitted on or before [INSERT DATE 60 DAYS FROM PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website:* [https:// www.fdic.gov/resources/regulations/ federal-register-publications/index.html](https://www.fdic.gov/resources/regulations/federal-register-publications/index.html).
- *Email:* [comments@fdic.gov](mailto:comments@fdic.gov). Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202-898-3767), Regulatory Counsel, MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of

Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION, CONTACT:** Manny Cabeza, Regulatory Counsel, 202-898-3767, [mcabeza@fdic.gov](mailto:mcabeza@fdic.gov), MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:**

Proposal to renew the following currently approved collections of information:

1. Title: Notice Regarding Unauthorized Access to Customer Information

OMB Number: 3064-0145.

Form Numbers: None.

Affected Public: Insured state nonmember banks.

Burden Estimate:

Summary of Estimated Annual Burden (OMB No. 3064-0145)					
Information collection description	Type of burden (obligation to respond)	Frequency of response	Number of respondents	Hours per response	Annual burden (hours)
<b><i>Implementation (One Time)</i></b>					
Develop Policies and Procedures for Response Program	Recordkeeping (Required)	1	10	24	240
<b><i>Ongoing</i></b>					
Notice Regarding Unauthorized Access to Customer Information	Third Party Disclosure (Required)	On occasion	315	36	11,340
<b>Total Annual Burden (Hours)</b>					<b>11,580</b>
Source: FDIC.					

General Description of Collection: The Interagency Guidance on Response Programs for Unauthorized Access to Customer Information and Customer Notice

describes the federal banking agencies' expectations regarding a response program, including customer notification procedures, that a financial institution should develop and apply under the circumstances described in the Guidance to address unauthorized access to or use of customer information that could result in substantial harm or inconvenience to a customer. The Guidance advises financial institutions when and how they might: (1) Develop notices to customers; (2) in certain circumstances defined in the Guidance, determine which customers should receive the notices; and (3) send the notices to customers.

There is no change in the methodology or substance of this information collection. The increase in total estimated annual burden from 11,340 hours in 2019 to 11,580 hours currently is due to economic factors as reflected in the increase in estimated number of respondents.

2. Title: Furnisher Information Accuracy and Integrity (FACTA 312)

OMB Number: 3064-0161.

Form Number: None.

Affected Public: State nonmember banks.

Burden Estimate:

Summary of Estimated Annual Burden (OMB No. 3064-0161)					
Information Collection Description	Type of Burden (Obligation to Respond)	Number of Responses	Number of Respondents	Hours per Response	Annual Burden (Hours)
Procedures to Enhance the Accuracy and Integrity of Information furnished to Consumer Reporting Agencies under Section 312 of the Fair and Accurate Credit Transaction Act	Recordkeeping (Required)	1	3,140	40	125,600
Distribution of Notices in Response to Direct Disputes	Third Party Disclosure (Required)	46	3,140	0.23	33,221
Total Annual Burden (Hours)					158,821

General Description of Collection: Sec. 312 of the Fair and Accurate Credit Transaction Act of 2003 (FACT Act) requires the FDIC to: Issue guidelines for furnishers regarding the accuracy and integrity of the information about consumers furnished to consumer reporting agencies; prescribe regulations requiring furnishers to establish reasonable policies/procedures to implement the guidelines; and issue regulations identifying the circumstances where a furnisher must reinvestigate a dispute about the accuracy of information in a consumer report based on a direct request from a consumer.

There is no change in the method or substance of the collection. The overall increase in burden hours is the result of economic fluctuation. In particular, the number of respondents has increased while the hours per response and frequency of responses have remained the same.

3. Title: Registration of Mortgage Loan Originators

OMB Number: 3064-0171.

Form Number: None.

Affected Public: FDIC Supervised Institutions and Employee Mortgage Loan Originators.

Burden Estimate:

Summary of Estimated Annual Burden (OMB No. 3064-0171)						
Information Collection Description	Type of Burden	Frequency of Response	Estimated Number of Respondents	Estimated Number of Responses per Respondent	Estimated Time per Response (Hours)	Estimated Annual Burden (Hours)
Financial Institution Policies and Procedures for Ensuring Employee-Mortgage Loan Originator Compliance With S.A.F.E. Act Requirements – New Entrant	Recordkeeping	One-Time	7	1	20	140
Financial Institution Policies and Procedures for Ensuring Employee-Mortgage Loan	Recordkeeping	Annual	3,091	1	1	3,091

Originator Compliance With S.A.F.E. Act Requirements – Ongoing						
Financial Institution Procedures to Track and Monitor Compliance with S.A.F.E. Act Compliance – New Entrant	Recordkeeping	One-Time	7	1	60	420
Financial Institution Procedures to Track and Monitor Compliance with S.A.F.E. Act Compliance – Ongoing	Recordkeeping	Annual	3,091	1	1	3,091
Financial Institution Procedures for the Collection and Maintenance of Employee Mortgage Loan Originator's Criminal History Background Reports – New Entrant	Recordkeeping	One-Time	7	1	20	140
Financial Institution Procedures for the Collection and Maintenance of Employee Mortgage Loan Originator's Criminal History Background Reports – Ongoing	Recordkeeping	Annual	3,091	1	1	3,091
Financial Institution Procedures for Public Disclosure of Mortgage Loan Originator's Unique Identifier – New Entrant	Third Party Disclosure	One-Time	7	1	25	175
Financial Institution Procedures for Public Disclosure of Mortgage Loan Originator's Unique Identifier – Ongoing	Third Party Disclosure	Annual	3,091	1	1	3,091
Financial Institution Information Reporting to Registry	Reporting	On Occasion	3,098	1	1	3,098
Mortgage Loan Originator Initial Registration Reporting and Authorization Requirements	Reporting	One-Time	5,257	1	.25	1,314
Mortgage Loan Originator Registration Updates Upon Change in Circumstances	Reporting	On Occasion	40,015	1	.25	10,004
Financial Institution Procedures for the Collection of Employee Mortgage Loan Originator's Fingerprints	Recordkeeping	On Occasion	3,098	1	4	12,392

Mortgage Loan Originator Procedures for Disclosure to Consumers of Unique Identifier	Third Party Disclosure	On Occasion	45,272	1	1	45,272
Mortgage Loan Originator Annual Renewal Registration Reporting and Authorization Requirements	Reporting	On Occasion	40,015	1	.25	10,004
Total Annual Burden						95,323

General Description of Collection: This information collection implements the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act) requirement that employees of Federally-regulated institutions who engage in the business of a mortgage loan originator to register with the Nationwide Mortgage Licensing System and Registry and establishes national licensing and registration requirements. It also directs Federally-regulated institutions to have written policies and procedures in place to ensure that their employees who perform mortgage loan originations comply with the registration and other SAFE Act requirements.

There is no change in the method or substance of the collection. The overall decrease in burden hours is the result of economic fluctuation. In particular, the number of respondents and time per response have decreased while the frequency of responses have remained the same.

#### Request for Comment

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through

the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on January 10, 2022.

**James P. Sheesley,**  
*Assistant Executive Secretary.*

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